

P-IV

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 23, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

STATEWIDE

Request Permission to Re-Issue New Revocable Permit Documents
to 159 Land Division Tenants located on Oahu, Maui, Molokai,
Hawaii and Kauai

BACKGROUND:

Over the years, Land Divisions' request to renew its Statewide month-to-month revocable permits requires staff to obtain Land Board approval and staff issuing a letter notifying the tenant that their revocable permit had been renewed for another year. If the staff appraiser from his/her analysis determined there should be a rent increase, staff would request a rent increase. The tenants were notified and given sufficient time to either agree to the new rent or if they disagree, provide evidence of other rental comparables for our staff appraiser to review. Staff would bring the matter before the Land Board to confirm the new rent for the tenant.

Recently, we had to revisit the revocable permit document created by the Attorney General's office due to an incident on the Big Island and a class on the Common Pitfalls of Certificate of Insurance by Frank A. Mayer, III held on June 3, 2009. This is what we discovered: (1) some revocable permit documents had either no insurance provision or vague provisions, (2) we were accepting insurers not licensed to do business in Hawaii, (3) we were accepting only certificates and not the insurance binder or policy, and (4) as Additional Insured, we never got an endorsement to ensure adequate coverage.

DISCUSSION:

The oldest permit (rp0416) was issued in 1950. Liability was not an issue at that time. The permit document reads as follows: "and will save the Lessor harmless against all claims and demands of third persons arising out of such entry and construction." Over the years, the tenant has faithfully submitted evidence of insurance coverage and paid the rent on time. For reasons unknown, this tenant does not want to pursue obtaining an easement. Therefore, this tenant will continue to occupy our property for years to come. There are many others with similar intentions.

Then, we discovered over 50% of Land Divisions' tenants are unable to obtain liability insurance coverage from an insurance company or companies licensed to do business in the State of Hawaii. We have been

accepting insurance certificates with "This insurance contract is issued by an insurer which is not licensed by the State of Hawaii and is not subject to its regulation or examination. If the insurer is found insolvent, claims under this contract are not covered by any guaranty fund of the State of Hawaii." For those insurance companies that are not licensed in the State of Hawaii, our staff checks the AM Best website to determine the financial strength and the insurer's credit rating. We do not accept anything below an "A-" rating. It appears our current practice may be a deviation from the express terms of the revocable permit document. The practice was implemented in response to a substantial number of applicants and current permittees who claimed that they were unable to obtain the requisite type of insurance from companies licensed in the State of Hawaii. We believe the insurance requirements need to modified to reflect and accommodate the actual conditions, and more specifically the limitations, of the local insurance industry. These changes will help our tenants' to be in compliance rather than risk being in technical default upon execution of the document.

In June 2009, we requested the Attorney General's office to review our proposed changes to the pertinent sections of the insurance provisions (Items A.4. and A.14) of the revocable permit document are as follows:

"4. At the Permittee's own cost and expense, keep the any government-owned improvements located on the Premises insured against loss by fire and other hazards, casualties, and contingencies, for the full insurable value of those improvements. The policies shall name the State of Hawaii as an additional insured and loss payee and shall be filed with the BoardDepartment. In the event of loss, damage, or destruction of those improvements, the Board Department shall retain from the proceeds of the policies those amounts it deems necessary to cover the loss, damage, or destruction of the government-owned improvements and the balance of those proceeds, if any, shall be delivered to the Permittee."

"14. Procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Permit, comprehensive general liability insurance, or its equivalent, with an insurance company or companies licensed or authorized to do business in the State of Hawaii with an AM Best rating of not less than "A-" or other comparable and equivalent industry rating, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, and with coverage terms acceptable to the Chairperson of the Board,. The policy or policies of insurance shall name the State of Hawaii as an additional insured and a copy shall be filed with the Department. The insurance shall cover the entire Premises, including all grounds and all roadways or sidewalks on or adjacent to the Premises in the use or control of the Permittee.

Prior to entry and use of the premises or within fifteen (15) days after the commencement date of this Permit, whichever is sooner, furnish the State with a certificate(s) showing the policy(s) to be initially in force, keep the certificate(s) on deposit during the entire Permit term, and furnish a like certificate(s) upon each renewal of the policy(s).

This insurance shall not be cancelled, limited in scope of coverage, or nonrenewed until after thirty (30) days written notice has been given to the State.

The State shall retain the right at any time to review the coverage, form, and amount of the insurance required by this Permit. If, in the opinion of the State, the insurance provisions in this Permit do not provide adequate protection for the State, the State may require Permittee to obtain insurance sufficient in coverage, form, and amount to provide adequate protection. The State's requirements shall be reasonable but shall be designed to assure protection for and against the kind and extent of the risks which exist at the time a change in insurance is required. The State shall notify Permittee in writing of changes in the insurance requirements and Permittee shall deposit copies of acceptable insurance policy(s) or certificate(s) thereof, with the State incorporating the changes within thirty (30) days after receipt of the notice.

The procuring of the required policy(s) of insurance shall not be construed to limit Permittee's liability under this Permit nor to release or relieve the Permittee of the indemnification provisions and requirements of this Permit. Notwithstanding the policy(s) of insurance, Permittee shall be obligated for the full and total amount of any damage, injury, or loss caused by Permittee's negligence or neglect connected with this Permit. It is agreed that any insurance maintained by the State will apply in excess of, and not contribute with, insurance provided by Permittee's policy.

The insurance certificate(s) shall be mailed to:

State of Hawaii
Department of Land and Natural Resources
Land Division
Box 621
Honolulu, Hawaii 96809"

In September 2009, we were informed by the Attorney General's office our proposed changes were okay with them.

Land Division manages over 400 month-to-month revocable permits. In June 2009, we instructed our staff to inspect and meet with 192 tenants. Based on our staffs' inspection and meetings with our tenants, we have identified 151 tenants (EXHIBIT A). We plan to bring the remainder back to the Land Board in late 2010. We know this will have a serious impact on our staff and the Attorney General's office, but the long-term goal is for all our tenants to have the same insurance provision. This eliminates ambiguity and disagreement.

Eventually, the new insurance wording will be placed in new leases and new easements issued by the Department. It will have to be on a 'go forward basis' because it will be difficult for us to amend leases or easements already executed.

Why revocable permits? We have more control over the revocable permits because of their month-to-month tenure. Section 171-55 Permits, Hawaii Revised statutes states as follows: Notwithstanding any other law to the contrary, the board of land and natural resources may issue permits for the temporary occupancy of state lands or an interest therein on a month-to-month basis by direct negotiation without public auction, under conditions and rent which will serve the best interests of the State, subject, however, to those restrictions as may from time to time be expressly imposed by the board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board may allow the permit to continue on a month-to-month basis for additional one year periods.

Thus, we are using this opportunity (when its time for us to renew the permits) for the continuation of our tenants occupation for another year, but we want the 151 tenants listed on EXHIBIT A to execute a new revocable permit document.

We are not proposing to change the existing tenant, rent, property location or character of use. Therefore, our actions, does not trigger compliance with Chapter 343, HRS.

To encourage 100% participation by the tenants, staff is recommending the waiver of the \$30 document fee and submission of tax clearances. Loss of revenues to the State - approximately \$4,530. This amount is small compared to the exposure to the State in a lawsuit.

The effective date in the new revocable permit document will be January 1, 2010. Upon execution of the new revocable permit document, staff will be canceling the tenants' old revocable permit document.

CONCLUSION:

The changes in the new revocable permit document will protect the State's interest. Although not a sure fire protection against lawsuits, at least the new insurance wording is current, and reflects the changing needs of the State (landowner) and the tenant.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize staff to re-issue new revocable permit documents to 151 tenants identified on EXHIBIT A, subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney

- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Charlene E. Unoki
Assistant Administrator

APPROVED FOR SUBMITTAL:


Laura H. Thielen, Chairperson 

<u>Doc No.:</u>	<u>Permittee Name:</u>	<u>TMK:</u>	<u>Commenced On:</u>	<u>Character of Use:</u>	<u>Leased Area (Acres):</u>	<u>Monthly Rent:</u>
rp0416	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 4-1-10, 4-1-25	1/17/1950	Utility	0.000	\$13.00
rp0444	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 4-1-010:000-0000	4/19/1950	Utility	0.000	\$13.00
rp1316	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 4-1-013:022-0000	4/9/1954	Utility	0.000	\$13.00
rp1336	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 4-1-010:095-0000	5/7/1954	Utility	0.000	\$13.00
rp1424	HAWAII PREPARATORY ACADEMY	(3) 6-5-001:021-0000	12/1/1954	Pasture	10,000	\$13.00
rp1499	HAWAIIAN TELCOM	(1) 4-1-010:095-0000	6/9/1955	Utility	0.000	\$13.00
rp2412	ULUPALAKUA RANCH INC.	(2) 2-2-007:003-0000	11/13/1957	Pipeline	2,430	\$13.00
rp2543	GAY & ROBINSON, INC.	(4) 1-8-003:011-0000	12/1/1957	Pasture	4,300	\$13.00
rp2956	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 4-1-010:088-0000	6/24/1958	Utility	0.000	\$13.00
rp2957	HAWAIIAN ELECTRIC CO INC & HAWAIIAN TELCOM	(1) 5-8-001:054-0000	2/23/1961	Utility	0.000	\$13.00
rp2959	HAWAIIAN TELCOM	(1) 5-9-006:6, 26	2/23/1961	Utility	0.000	\$13.00
rp2960	HAWAIIAN TELCOM	(1) 9-9-044:022-0000	8/15/1959	Utility	0.000	\$13.00
rp3487	CHEVRON USA, INC.	(3) 2-1-009:007-0000	9/13/1962	Pipeline	0.208	\$173.00
rp3528	HILTON HAWAIIAN VILLAGE, LLC	(1) 2-6-008:029-0000	9/11/1964	Pier/Dock	0.090	\$33,766.00
rp3663	HAWAII ELECTRIC LIGHT CO.	(3) 2-6-009	1/1/1965	Water	0.000	\$1,641.00
rp4008	NOBRIGA'S RANCH INC.	(2) 3-1-002:011-0000	4/11/1967	Pasture	82,000	\$34.00
rp4042	HAWAII COUNTY	(3) 2-3-35, 37, 43, 2-4-01	8/11/1967	Utility	0.000	\$0.00
rp4082	NOBRIGA'S RANCH INC.	(2) 3-1-006:002-0000	10/1/1967	Pipeline	0.000	\$13.00
rp4135	ROMAN CATHOLIC BISHOP OF HNL	(3) 6-9-005:046-0000	4/11/1968	Parking	0.129	\$126.00
rp4171	HAWAII COUNTY	(3) 2-1-013:002-0000	6/11/1968	Recreational	113,382	\$0.00
rp4286	AKI, WALLACE AH FOOK	(3) 2-1-007:020-0000	11/18/1968	Residential	0.161	\$259.00
rp4456	LAU, KWOCK NAM	(1) 2-2-010:033-0000	2/11/1970	Parking	0.041	\$94.00
rp4701	CASTRO, RANDOLPH	(2) 1-7-002:015-0000	8/11/1971	Residential	0.036	\$13.00
rp4804	YAMADA, KAZUTO	(1) 4-1-008:072-0000	3/22/1972	Agriculture	14,500	\$108.00
rp4858	HAWAII MOTORSports ASSN INC.	(1) 5-8-002:002-0000	9/13/1972	Recreational	449.720	\$103.00

EXHIBIT "A"

<u>Doc No.:</u>	<u>Permittee Name:</u>	<u>TMK:</u>	<u>Commenced On:</u>	<u>Character of Use:</u>	<u>Leased Area (Acres):</u>	<u>Monthly Rent:</u>
rp4900	HAWAII COUNTY ECONOMIC OPPORTUNITY	(3) 4-5-006:003-0000	10/27/1972	Office	0.000	\$0.00
rp4964	HAWAII COUNTY ECONOMIC OPPORTUNITY	(3) 7-8-007:028-0000	5/31/1973	Community Use	0.036	\$0.00
rp4974	OCLIT, ELOISE K.	(4) 4-5-011:010-0000	8/1/1973	Residential	0.063	\$137.00
rp5101	HAWAII COUNTY ECONOMIC OPPORTUNITY	(3) 4-5-006:003-0000	1/1/1975	Office	2.392	\$0.00
rp5113	KAILIKINI, ABRAHAM	(4) 1-9-002:031-0000	3/11/1975	Pasture	0.750	\$13.00
rp5171	HOOPII, RICHARD	(2) 3-1-004:029-0000	10/1/1975	Agriculture	0.130	\$13.00
rp5172	SOMBELON, MABEL	(2) 2-5-4:15, 20	9/15/1975	Pasture	1.773	\$13.00
rp5184	EDNIE, RICHARD D.	(3) 6-6-6:2, 3, 4, 5	1/15/1976	Pasture	4.110	\$13.00
rp5188	COUNTY OF KAUAI	(4) 1-8-007:001-0000	8/1/1975	Landscaping	1.620	\$0.00
rp5214	A & B - HAWAII, INC.	(2) 3-8-001:046-0000	10/15/1975	Agriculture	6.107	\$40.00
rp5232	YOUNG, LAFAYETTE	(2) 2-9-3:17, 20	5/11/1977	Pasture	110.360	\$91.00
rp5277	TAVARES, HOWARD P.	(2) 2-9-002:029-0000	8/1/1976	Pasture	8.400	\$13.00
rp5285	HANA RANCH INC.	(2) 1-4-3:7, 8	4/25/1976	Pasture	26.070	\$20.00
rp5315	NOBRIGA'S RANCH INC.	(2) 3-1-006:002-0000	12/11/1976	Pasture	187.465	\$38.00
rp5318	STATE-HI: DOT	(3) 6-2-001:015-0000	3/22/1974	Baseyard/Storag	1.600	\$0.00
rp5326	U S A: DEPT OF INTERIOR	(3) 2-3-014:012-0000	12/10/1976	Government	0.040	\$0.00
rp5343	NAPILI SURF APT OWNERS ASSN.	(2) 4-3-002:099-0000	12/10/1976	Landscaping	0.230	\$119.00
rp5352	NOBRIGA'S RANCH INC.	(2) 3-1-006:003-0000	1/16/1977	Pasture	136.400	\$28.00
rp5377	SHERMAN, DOUGLAS M.	(2) 3-9-009:031-0000	4/11/1977	Landscaping	0.095	\$13.00
rp5384	MAUNA KEA BROADCASTING CO IN	(1) 3-6-004:026-0000	5/11/1977	Telecom Facility	0.079	\$8,250.00
rp5391	A & B - HAWAII, INC.	(2) 2-5-001:010-0000	4/1/1977	Agriculture	0.227	\$13.00
rp5402	HOOPII, RICHARD	(2) 3-1-004:116-0000	6/11/1977	Agriculture	0.179	\$13.00
rp5405	MANA KAI APT OWNERS ASSN.	(2) 3-9-004:001-0000	5/27/1977	Landscaping	0.298	\$101.00
rp5407	KANEOHE YACHT CLUB	(1) 4-4-022:032-A	8/1/1977	Pier/Dock	0.184	\$138.00
rp5408	MULLER, C. MICHAEL	(1) 4-1-001:011-A	9/1/1977	Pier/Dock	0.016	\$49.00
rp5485	A & B - HAWAII, INC.	(2) 3-8-003:022-0000	7/1/1977	Agriculture	1.168	\$13.00
rp5498	ALEXANDER & BALDWIN COMPANY	(3) 2-1-006:084-0000	7/1/1977	Baseyard/Storag	0.797	\$752.00
rp5545	HINES, NICKIE	(1) 4-1-018:050-0000	10/1/1977	Residential	0.800	\$500.00
rp5557	ED YAMASHIRO, INC.	(1) 1-2-021:042-0000	5/11/1978	Baseyard/Storag	2.594	\$2,584.00
rp5563	CITY & COUNTY OF HONOLULU	(1) 9-2-005:014-0001	3/4/1978	Telecom Facility	0.000	\$0.00
rp5566	HAWAIIAN ELECTRIC CO INC	(1) 9-2-005:014-0001	3/4/1978	Telecom Facility	0.000	\$750.00

EXHIBIT "A"

<u>Doc No.:</u>	<u>Permittee Name:</u>	<u>TMK:</u>	<u>Commenced On:</u>	<u>Character of Use:</u>	<u>Leased Area (Acres):</u>	<u>Monthly Rent:</u>
rp5567	U H COLLEGE OF TROPICAL AGRICULTURE & HUMAN RESOURCES	(4) 4-2-1:8,10	8/15/1977	Agriculture	32.000	\$0.00
rp5614	CITY & COUNTY OF HONOLULU	(1) 3-1-042:006-0000	3/1/1979	Telecom Facility	0.002	\$0.00
rp5775	AOAO MAUI HILL	(2) 3-9-004:140-0000	7/1/1980	Landscaping	0.916	\$44.00
rp5785	GONSALVES, BURT L.	(4) 1-9-002:029-0000	9/1/1980	Pasture	0.680	\$13.00
rp5835	HALE PAU HANA HOMEOWNERS ASSN.	(2) 3-9-005:001-0000	5/10/1980	Landscaping	0.555	\$29.00
rp5883	COUNTY OF KAUAI	(4) 3-8-005:001-0000	9/26/1981	Baseyard/Storag	0.344	\$0.00
rp5900	KEAWAKAPU HOMEOWNERS ASSN.	(2) 3-9-004:140-0000	6/1/1980	Landscaping	0.338	\$13.00
rp5936	HALEAKALA RANCH CO.	(2) 1-8-001:005-0000	3/19/1982	Pasture	361.200	\$139.00
rp5938	LOO, JOHN N. & MARGARET L.	(3) 4-9-011:002-0000	7/16/1982	Diversified Ag	11.600	\$143.00
rp5942	LAHAINA RESTORATION FOUNDATION	(2) 4-6-018:005-0000	9/8/1982	Cultural	0.063	\$0.00
rp5976	PARK, M.D., HOON	(3) 2-6-010:087-0000	12/17/1982	Encroachment	0.106	\$13.00
rp5977	ROYAL MAUJAN HOMEOWNERS ASSN.	(2) 3-9-005:001-0000	1/1/1983	Landscaping	0.053	\$33.00
rp6004	DUNN, LESLIE A.	(2) 3-1-005:028-0000	5/1/1983	Agriculture	0.352	\$13.00
rp6022	DALEICO RANCH	(3) 9-3-3:35.36	5/1/1983	Pasture	3.140	\$13.00
rp6024	AJIMURA, MASAICHI	(4) 1-9-005:038-0000	6/1/1983	Landscaping	0.232	\$13.00
rp6047	DURO, TRAV	(2) 4-5-13:2-A; 26-A	9/16/1983	Seawall/Boat Ra	0.008	\$21.00
rp6056	SULLIVAN, TRUSTEE, MILES F.	(3) 6-9-002:006-0000	9/1/1983	Landscaping	0.527	\$188.00
rp6076	ESPIRITO, GREGORIO	(1) 2-2-013:014-0000	1/1/1984	Residential	0.222	\$765.00
rp6080	NUNES, ERNEST	(2) 4-8-003:040-0000	1/1/1984	Pasture	100.000	\$40.00
rp6082	STAR, WHITE	(2) 2-9-007:003-0000	2/1/1984	Pasture	11.600	\$13.00
rp6103	JACINTHO, WILLIAM F.	(2) 1-4-007:009-0000	3/1/1984	Pasture	15.951	\$13.00
rp6121	KAHAKULO PROTESTANT CHURCH	(2) 3-1-004:005-0000	4/1/1984	Community Use	0.330	\$31.00
rp6140	OLSEN, RICHARD L.	(2) 2-1-007:010-0000	10/1/1984	Recreational	0.190	\$282.00
rp6176	CAMBRA, JR., LOUIS G.	(2) 2-3-008:026-0000	4/1/1985	Pasture	18.365	\$13.00
rp6180	BROWNE, SUSAN & ROAN	(2) 2-9-001:020-0000	4/1/1985	Agriculture	9.630	\$17.00
rp6199	UNITED STATES OF AMERICA, DEPARTMENT OF COMMERCE	(2) 2-2-007:009-0000	3/19/1985	Government	0.000	\$0.00
rp6229	KAAUAMO, JR., SOLOMON & HANNAH	(2) 1-1-4:13,30	7/20/1985	Intensive Ag	2.990	\$40.00
rp6243	DE MAURO, JOSEPH	(1) 9-4-010:100-0000	11/1/1985	Agriculture	0.413	\$13.00
rp6326	YANAGIHARA, RAYMOND & NELLIE	(1) 4-5-006:039-0000	2/15/1986	Landscaping	0.077	\$13.00

<u>Doc No.:</u>	<u>Permittee Name:</u>	<u>TMK:</u>	<u>Commenced On:</u>	<u>Character of Use:</u>	<u>Leased Area (Acres):</u>	<u>Monthly Rent:</u>
rp6331	AOAO KAUAHE BEACH COVE	(1) 4-5-003.002-A (4) 4-6-9-49; 4-6-14-74	4/1/1986	Pier/Dock	0.147	\$74.00
rp6332	BARRETTTO, GILBERT F.	(2) 5-8-003.023-0000	3/1/1986	Pasture	2.450	\$13.00
rp6336	HALAMA, STANLEY K.		4/1/1986	Ag-Residence	0.290	\$13.00
rp6392	WAIMANALO POLO CLUB	(1) 4-1-9-262,269	6/1/1986	Recreational	34.500	\$469.00
rp6445	DEPT OF SOCIAL SERVICES	(3) 2-4-049.013-0000	7/26/1986	Baseyard/Storag	0.918	\$0.00
rp6464	NUNES, ERNEST	(2) 4-6-018-022-0000	1/1/1986	Pasture	35.000	\$28.00
rp6507	KAONA, CLARENCE E.; KENNETH KAONA & DAVID KAONA, III	(4) 5-5-006-005-0000	7/1/1987	Agriculture	0.400	\$13.00
rp6511	GAY & ROBINSON	(4) 1-5-001.001-0001	9/1/1987	Pasture	1,625.000	\$44.00
rp6528	YAMADA PACIFIC, INC.	(2) 4-5-001.053-0000	10/1/1987	Commercial	0.043	\$1,340.00
rp6535	CAFE 100, INC.	(3) 2-2-029-026-0000	1/1/1987	Parking	0.133	\$73.00
rp6544	NOBRIGA'S RANCH, INC.	(2) 3-1-001.004-0000	10/17/1987	Pasture	78.600	\$16.00
rp6546	BUSH, C. BRYSON	(1) 4-5-058-121-0000	1/1/1988	Pier/Dock	0.007	\$17.00
rp6577	DOUGLAS KAKUDA CONTRACTOR	(4) 1-6-004-030-0000	9/1/1988	Baseyard/Storag	0.300	\$708.00
rp6585	NUNES, ERNEST	(2) 4-6-018-021-0000	12/1/1988	Pasture	35.000	\$28.00
rp6587	HAWAII COMMUNITY DEVELOPMENT AUTHORITY	(1) 2-1-051-009-0000	12/1/1988	Parking	1,863	\$0.00
rp6596	COATNEY, CLYDE	(3) 7-5-006-034-0000	1/1/1989	Access	0.041	\$63.00
rp6603	KAILUA-KONA VILLAGE DEV GROUP	(3) 7-5-007-069-0000	11/1/1988	Parking	0.275	\$366.00
rp6641	SURETY KOHALA CORPORATION	(3) 5-5-3,6,7,11;5-5-6	5/1/1989	Access & Utility	24.880	\$13.00
rp6648	CARTER, CHARLES G.& CHRISTOPHER SMITH	(2) 3-1-4-101,104, 106	8/1/1989	Agriculture	1.094	\$13.00
rp6649	FLECK, JR., PHILIP & GLORIA	(2) 2-2-017-017-0000	7/1/1989	Agriculture	1.040	\$61.00
rp6660	NAKOA, WANDA N.	(1) 8-6-002-005-0000	8/1/1989	Recreational	6.407	\$131.00
rp6662	HEARST, HOPE	(1) 3-6-001-036-A	10/1/1989	Pier/Dock	0.003	\$13.00
rp6667	MIZUTA, ROBIN	(1) 4-1-010-049-0000	9/1/1989	Landscaping	0.200	\$20.00
rp6683	HERTZ, RALPH & MARY	(2) 2-1-005-119-0000	10/1/1989	Miscellaneous	0.152	\$13.00
rp6690	PALOMINO, ANNA MARIE & DAVID BOWKER	(2) 2-9-001-033-0000	1/1/1990	Agriculture	1.700	\$28.00
rp6694	LEAN, WALLACE K.	(1) 9-8-011.006-0000	1/1/1990	Agriculture	7.613	\$48.00
rp6703	KONA QUEEN HAWAII, INC.	(3) 2-4-008-035-0000	3/1/1990	Agriculture	0.115	\$21.00
rp6707	KUNSTADTER, PETER & SALLY	(1) 3-6-001-025-A	4/1/1990	Pier/Dock	0.006	\$19.00
rp6710	HIGASHI, MYRON	(2) 3-9-009-034-0000	5/1/1990	Landscaping	0.413	\$59.00
rp6726	COUNTY OF MAUI	(2) 5-7-007-016-0000	9/1/1990	Miscellaneous	0.115	\$0.00
rp6736	MAU, MARY JANE	(2) 2-2-003-001-0000	12/1/1990	Pasture	1.291	\$13.00

EXHIBIT "A"

<u>Doc No.:</u>	<u>Permittee Name:</u>	<u>TMK:</u>	<u>Commenced On:</u>	<u>Character of Use:</u>	<u>Leased Area (Acres):</u>	<u>Monthly Rent:</u>
rp6750	HERTZ, RALPH & MARY	(2) 2-1-005:122-0000	3/1/1991	Agriculture	6.000	\$231.00
rp6751	FRANCO, STEVEN J. & CAROL JEAN	(2) 2-2-003:001-0000	3/1/1991	Access	0.052	\$13.00
rp6766	LOOMIS JAMES C.	(2) 2-9-003:040-0000	6/1/1991	Agriculture	14.760	\$74.00
rp6770	CONNER, WILLIAM	(2) 1-3-007:025-0000	4/14/1991	Residential	0.600	\$298.00
rp6781	RANGE, JOSEPH & WILLIET	(2) 2-9-6:7, 8	8/1/1991	Pasture	10.560	\$13.00
	UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR					
rp6783	ANDRADE, MANUEL H.	(3) 7-4-008:003-0000	9/1/1991	Cultural	6.929	\$0.00
rp6790	AKI, MICHAEL	(4) 2-3-007:013-0000	1/1/1991	Pasture	32.550	\$13.00
rp6809	WEIDENBACH, RONALD P.	(4) 2-5-5:4, 5, 6	5/1/1992	Agriculture	7.540	\$217.00
rp6814	DEPT. OF ACCOUNTING & GENERAL SERVICES	(1) 6-9-001:003-0000	6/1/1992	Aquaculture	18.000	\$83.00
rp6816	DAY, JOSEPH J.	(2) 5-3-005:010-0000	8/1/1992	Baseyard/Storag	4.000	\$0.00
rp6821	OLOMANA GOLF LINKS, INC.	(2) 1-1-006:038-0000	7/22/1992	Agriculture	0.850	\$13.00
rp6822	MEDEIROS, JOHN S. & YVONNE	(1) 4-1-013:012-0000	7/1/1992	Agriculture	4.770	\$497.00
rp6829	SAWINSKI, ROBERT G & RAY-JEN	(2) 2-2-013:010-0000	1/1/1993	Pasture	3.096	\$13.00
rp6836	OKUYAMA, TADASHI	(1) 4-6-022:026-A	3/1/1992	Pier/Dock	0.004	\$13.00
rp6837	MORI, GEORGE M.	(1) 3-6-001:017-A	1/1/1993	Pier/Dock	0.007	\$25.00
rp6849	COUNTY OF HAWAII	(4) 1-8-007:015-0000	11/1/1991	Access	0.026	\$13.00
rp6851	PONCE, KENNETH & MARIELLE	(3) 7-4-020:007-0000	8/27/1993	Government	6.000	\$0.00
rp6891	MADRID, FRANCES C. & SAMUEL L. WUNSCHEL	(4) 4-5-009:051-0000	1/1/1996	Landscaping	0.171	\$13.00
rp6892	WUNSCHEL	(4) 4-5-008:012-0000	11/1/1993	Landscaping	0.165	\$13.00
rp6893	MADRID, FRANCES C. & SAMUEL L. WUNSCHEL	(4) 4-5-008:013-0000	11/1/1993	Residential	0.146	\$386.00
rp6897	THATCHER, STEVE	(4) 4-5-009:043-0000	2/1/1994	Commercial	0.172	\$633.00
rp6931	KANEKO, KENT	(3) 2-2-050:080-0000	4/16/1994	Industrial	0.258	\$436.00
rp6933	KEKAHUNA, BEATRICE	(2) 2-9-001:018-0000	9/1/1994	Ag & Pasture	5.000	\$13.00
rp6937	KAMANAWA FOUNDATION	(4) 1-9-012:013-0000	10/27/1994	Educational	1.840	\$136.00
rp6940	SOUZA, JOHN R.	(3) 4-1-6:2, 4	1/1/1995	Pasture	228.000	\$76.00
rp6946	BANK OF HAWAII	(4) 1-9-005:049-0000	7/6/1994	Commercial	0.810	\$1,674.00
rp6955	CANSIBOG, ROBERTA & LESLIE	(1) 8-7-001:033-0000	4/1/1995	Parking	0.424	\$27.00
rp6970	UNITED LAUNDRY SERVICES, INC.	(1) 1-2-021:046-0000	6/1/1995	Parking	0.047	\$191.00
rp6978	PONOHOLO RANCH LTD.	(3) 5-8-002:002-0000	8/1/1995	Pasture	73.000	\$62.00
rp6988	KUNIMITSU, KEN	(3) 2-3-032:010-0000	8/15/1991	Diversified Ag	0.500	\$28.00

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RP6990	KAAUAMO, MARY & WILKENS P. KAAUAMO	(2) 1-1-4:28-1-1-5:52	12/15/1995	Ag & Pasture	3.880	\$52.00
RP7002	RANGE, JOSEPH & WILLIET	(2) 2-9-009:013-000	2/1/1996	Pasture	1.440	\$13.00
RP7006	KAWASHIMA, IRVING K.	(3) 4-3-015:010-0000	4/1/1992	Pasture	3.04	\$13.00
RP7015	HALEAKALA RANCH COMPANY	(2) 2-4-016:001-0000	4/1/1995	Pasture	142.3	\$115.00
RP7018	GRANDE, THOMAS R.	(1) 4-1-010:016-0000	8/1/1996	Landscaping	0.21	\$42.00